



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12911 of 2022

1. V.Eswaran

2. Sudha

3. Savarniya

4. E.Siva

... Petitioners/Accused No.1 to 4

Vs

The State rep.by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
Crime No.235 of 2022.

... Respondent/Complainant

For Petitioners: Mr.C.NARENDREN, Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.235 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(2) of I.P.C, 1860, in Crime No.235 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that on 28.06.2022, at about 07.00 p.m, when the defacto complainant visited along with his mother to the house of his paternal uncle, the paternal uncle along with his family members abused them in filthy language and tried to assault them. Based upon the complaint given by the defacto complainant, present case has been registered against the accused persons.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a family dispute between the defacto complainant and his paternal uncle. No previous case is pending against the petitioners.

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5. Considering the facts and circumstances of the case and also considering the fact that it is a family dispute between the parties and no bad antecedents reported against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Uthamapalayam, Theni District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

18/07/2022

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/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM,
THENI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



3 THE INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.NARENDREN C Advocate SR.No.7224(I)

ORDER

IN

CRL OP(MD) No.12911 of 2022

Date :18/07/2022

PKP/VR/SAR-1/21.07.2022/3P/6C